

1 BILL NO. G-89-09-25 (AS AMENDED)

2 GENERAL ORDINANCE NO. G- 22-89

3 AN ORDINANCE amending General
4 Ordinance No. G-15-86 which ordinance
5 amended Special Ordinance No. G-27-84
6 which ordinance amended General
7 Ordinance No. S-91-82 and amending
8 Chapter 31 of the Municipal Code of
9 the City of Fort Wayne, Indiana,
10 establishing rates and charges for the
11 use of and services rendered by the
12 waterworks system of the City of Fort
13 Wayne, and repealing all ordinances or
14 parts of ordinances in conflict
15 therewith.

16 WHEREAS, the Common Council of the City of Fort Wayne,
17 Indiana ("the City"), now finds that the existing rates and
18 charges for the use of and services rendered by the waterworks
19 of the City do not produce sufficient revenue to: pay all the
20 legal and other necessary expenses incident to the operation
21 of the utility, including maintenance costs, operating
22 charges, upkeep, repairs, depreciation, and interest charges
23 on bonds or other obligations; provide a sinking fund for the
24 liquidation of bonds or other evidences or indebtedness;
25 provide adequate money for working capital; provide adequate
26 money for making extensions and replacements to the extent not
27 provided for through depreciation; provide money for payment
28 of any taxes that may be assessed against the utility;
29 provide a reasonable return on the utility plant; and
30 compensate the City for taxes that would be due the City on
31 the utility property were it privately owned; and therefore,
32 that the existing rates and charges should be increased; and

WHEREAS, in accordance with I.C. 8-1.5-3-8, as amended,
the Common Council finds and elects that rates and charges for
water service to be paid by users of the system shall be
sufficient to include a reasonable return on the utility plant
of the City; and

WHEREAS, pursuant to I.C. 8-1.5-3-8, the Common Council
finds and elects that the water rates charged to users of the
system shall be sufficient to compensate the City for taxes

1 that would be due the City on the utility property were it
2 privately owned;

3 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
4 THE CITY OF FORT WAYNE, INDIANA:

5 SECTION 1. That Section 1 of General Ordinance No. G-
6 15-86, entitled "An Ordinance amending Special Ordinance No.
7 S-27-84, which ordinance amended General Ordinance No. S-91-
8 82; and amending Chapter 31 of the Municipal Code of the City
9 of Fort Wayne, establishing rates and charges for the use of
10 and services rendered by the waterworks system of the City of
11 Fort Wayne, and repealing all ordinances or parts of
12 ordinances in conflict therewith," adopted April 22, 1986, and
13 signed by the Mayor on April 23, 1986, and Chapter 31 of the
14 Municipal Code of the City of Fort Wayne, be and the same are
15 hereby amended as follows:

16 Sec. 31-18. Established; water usage schedule.

17 There shall be and hereby are established for the use
18 of and the service rendered by the waterworks system of the
19 City of Fort Wayne the following rates and charges based on
20 the use of water supplied by said waterworks system:

<u>Metered Rates Per Month</u>		<u>Rates per</u> <u>100 Cubic Feet</u>
First	30,000 cubic feet	\$.857
Next	120,000 cubic feet	.676
Over	150,000 cubic feet	.501

24 Monthly Service Charges

25 Each user shall pay a monthly service charge, in
26 addition to usage charges calculated under the metered rate
27 schedule, as follows:

<u>Size of Meter</u>	<u>Monthly Service Charge</u>
5/8 inch	\$ 4.35
3/4 inch	5.06
1 inch	5.59
1-1/2 inch	13.14
2 inch	26.16
3 inch	30.87
4 inch	31.17
6 inch	78.72
8 inch	104.18
10 inch	139.83

Sec. 31-19. Minimum charges.

Repealed.

Sec. 31-20. Collection or deferred payment charge.

All bills for water services not paid on or before the due date, which due date shall be approximately fifteen days after the bill is rendered shall be subject to a collection or deferred payment charge of 10% on the first \$3.00 and 3% on the excess over \$3.00.

Sec. 31-21. Private fire protection service.

	<u>Per annum</u>
For each Fire Hydrant	\$ 222.62
2 inch	24.75
3 inch	55.62
4 inch	99.00
6 inch	222.62
8 inch	394.10
10 inch	616.71
12 inch	890.61
16 inch	1,583.03

Sec. 31-22. Municipal service.

Municipal service to the City shall be as follows:

For each Fire Hydrant inside the City

limits per annum \$ 222.62

Sec. 31-23. Charges to customers situated outside City Limits:

There shall be and hereby are established for the use of and the service rendered by the waterworks system of the City of Fort Wayne for customers situated outside the corporate limits of the City of Fort Wayne the following rates and charges based on the use of water supplied by said waterworks system:

<u>Metered Rates Per Month</u>	<u>Rates Per 100 Cubic Feet</u>
First 30,000 cubic feet	\$ 1.001
Next 120,000 cubic feet	.845
Over 150,000 cubic feet	.656

Monthly Service Charge

Each user shall pay a monthly service charge, in addition to usage charges calculated under the metered rate

schedule, in an amount equal to the amount listed for monthly service charges for customers located inside the corporate limits of the City as set out in Section 31-18.

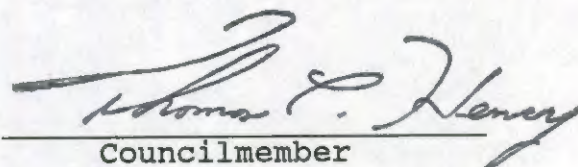
Private Fire Protection Service

	<u>Per Annum</u>
For each Fire Hydrant	\$ 346.36
2 inch	38.47
3 inch	86.61
4 inch	153.92
6 inch	346.36
8 inch	613.06
10 inch	959.43
12 inch	1,385.46
16 inch	2,462.68

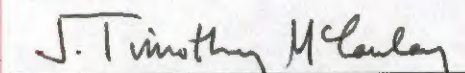
SECTION 2. Except for the foregoing amendments, the remaining sections of Chapter 31 of the Municipal Code of the City of Fort Wayne shall remain in full force and effect.

SECTION 3. All ordinances and parts of ordinances in conflict herewith are hereby repealed, provided, however, that the existing schedule of water rates and charges shall remain in full force and effect until the schedule of rates and charges fixed by this ordinance shall be approved by the Indiana Regulatory Commission, and until such time as the order of said Commission approving said new rates and charges shall direct.

SECTION 4. This ordinance shall be in full force and effect from and after its passage; provided, however, that the schedule of rates and charges herein set out shall not become effective unless approved by the Indiana Utility Regulatory Commission, or until such time as said Commission shall direct.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by Henry, seconded by GiaQuinta, and duly adopted, read the second time by title and referred to the Committee on City of Fort Wayne (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 9-12-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry, seconded by Bradbury, and duly adopted, placed on its passage. PASSED ~~Lost~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>8</u>	<u>0</u>		<u>1</u>
BRADBURY	<u>✓</u>			
BURNS	<u>✓</u>			
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG				<u>✓</u>
REDD	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 10-10-89

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 9-22-89

on the 10th day of October, 1989,

Sandra E. Kennedy ATTEST
SANDRA E. KENNEDY, CITY CLERK

SEAL
Charles S. Reed
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 16th day of October, 1989, at the hour of 1:30 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 17th day of October, 1989, at the hour of 2:00 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

1
2 BILL NO. G-89-09-25

3 GENERAL ORDINANCE NO. G-22-89

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9 Chapter 31 of the Municipal Code of
10 the City of Fort Wayne, Indiana,
11 establishing rates and charges for the
12 use of and services rendered by the
13 waterworks system of the City of Fort
14 Wayne, and repealing all ordinances or
15 parts of ordinances in conflict
16 therewith.

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18 Indiana ("the City"), now finds that the existing rates and
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20 of the City do not produce sufficient revenue to: pay all the
21 legal and other necessary expenses incident to the operation
22 of the utility, including maintenance costs, operating
23 charges, upkeep, repairs, depreciation, and interest charges
24 on bonds or other obligations; provide a sinking fund for the
25 liquidation of bonds or other evidences or indebtedness;
26 provide adequate money for working capital; provide adequate
27 money for making extensions and replacements to the extent not
28 provided for through depreciation; provide money for payment
29 of any taxes that may be assessed against the utility;
30 provide a reasonable return on the utility plant; and
31 compensate the City for taxes that would be due the City on
32 the utility property were it privately owned; and therefore,
that the existing rates and charges should be increased; and

WHEREAS, in accordance with I.C. 8-1.5-3-8, as amended,
the Common Council finds and elects that rates and charges for
water service to be paid by users of the system shall be
sufficient to include a reasonable return on the utility plant
of the City; and

WHEREAS, pursuant to I.C. 8-1.5-3-8, the Common Council
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system shall be sufficient to compensate the City for taxes

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17 There shall be and hereby are established for the use
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19 City of Fort Wayne the following rates and charges based on
20 the use of water supplied by said waterworks system:

<u>Metered Rates Per Month</u>		<u>Rates per</u> <u>100 Cubic Feet</u>
First	30,000 cubic feet	\$.881
Next	120,000 cubic feet	.695
Over	150,000 cubic feet	.515

24 Monthly Service Charges

25 Each user shall pay a monthly service charge, in
26 addition to usage charges calculated under the metered rate
27 schedule, as follows:

<u>Size of Meter</u>	<u>Monthly Service Charge</u>
5/8 inch	\$ 4.47
3/4 inch	5.20
1 inch	5.75
1-1/2 inch	13.50
2 inch	26.89
3 inch	31.73
4 inch	32.04
6 inch	80.91
8 inch	107.08
10 inch	143.73

Sec. 31-19. Minimum charges.

Repealed.

Sec. 31-20. Collection or deferred payment charge.

All bills for water services not paid on or before the due date, which due date shall be approximately fifteen days after the bill is rendered shall be subject to a collection or deferred payment charge of 10% on the first \$3.00 and 3% on the excess over \$3.00.

Sec. 31-21. Private fire protection service.

	<u>Per annum</u>
For each Fire Hydrant	\$ 228.81
2 inch	25.44
3 inch	57.17
4 inch	101.75
6 inch	228.81
8 inch	405.06
10 inch	633.88
12 inch	915.39
16 inch	1,627.08

Sec. 31-22. Municipal service.

Municipal service to the City shall be as follows:

For each Fire Hydrant inside the City

limits per annum \$ 228.81

Sec. 31-23. Charges to customers situated outside City

Limits:

There shall be and hereby are established for the use of and the service rendered by the waterworks system of the City of Fort Wayne for customers situated outside the corporate limits of the City of Fort Wayne the following rates and charges based on the use of water supplied by said waterworks system:

<u>Metered Rates Per Month</u>	<u>Rates Per 100 Cubic Feet</u>
First 30,000 cubic feet	\$ 1.029
Next 120,000 cubic feet	.869
Over 150,000 cubic feet	.675

Monthly Service Charge

Each user shall pay a monthly service charge, in addition to usage charges calculated under the metered rate

schedule, in an amount equal to the amount listed for monthly service charges for customers located inside the corporate limits of the City as set out in Section 31-18.

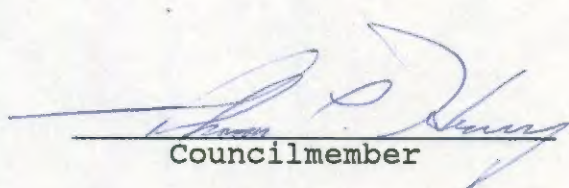
Private Fire Protection Service

	<u>Per Annum</u>
For each Fire Hydrant	\$ 356.00
2 inch	39.54
3 inch	89.02
4 inch	158.20
6 inch	356.00
8 inch	630.12
10 inch	986.13
12 inch	1,424.01
16 inch	2,531.21

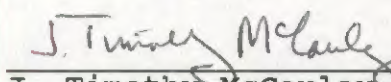
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SECTION 4. This ordinance shall be in full force and effect from and after its passage; provided, however, that the schedule of rates and charges herein set out shall not become effective unless approved by the Indiana Utility Regulatory Commission, or until such time as said Commission shall direct.


Councilmember

APPROVED AS TO FORM
AND LEGALITY


J. Timothy McCaulay, City Attorney

Admn. Appr. _____

DIGEST SHEET

(as amended)
G-85-09-25

TITLE OF ORDINANCE GENERAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS AND SAFETY

SYNOPSIS OF ORDINANCE ORDINANCE INCREASING THE EXISTING RATES AND

CHARGES FOR THE USE OF AND SERVICES RENDERED BY THE WATERWORKS

OF THE CITY OF FORT WAYNE

EFFECT OF PASSAGE REVENUES WOULD BE SUFFICIENT TO COVER CITY OF FORT

WAYNE WATERWORKS' COSTS.

EFFECT OF NON-PASSAGE REVENUES ARE NOT SUFFICIENT TO COVER CITY OF FORT

WAYNE WATERWORKS' COSTS

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) _____

BILL NO. G-89-09-25

Committee of the
Whole

REPORT OF THE COMMITTEE ON CITY UTILITIES

THOMAS C. HENRY, CHAIRMAN
MARK E. GIAQUINTA, VICE CHAIRMAN
LONG, BURNS, TALARICO

Committee of the whole

WE, YOUR COMMITTEE ON CITY UTILITIES TO WHOM WAS

REFERRED AN (ORDINANCE) ^{XXXXXXXXXX} (RESOLUTION) amending General Ordinance No. G-15-86 which ordinance amended General Ordinance G-27-84 which ordinance amended Special Ordinance No. S-91-82 and amending Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana, establishing rates and charges for the use of and services rendered by the waterworks system of the City of Fort Wayne, and repealing all ordinances or parts of ordinances in conflict therewith

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

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DATED: 10-10-89

Sandra E. Kennedy
City Clerk

TOM,

MAIR'S AMENDMENT #1

THAT THE AMOUNT ALLOCATED FOR
SLUDGE REMOVAL BE REDUCED ~~FR~~ FROM
\$ 900,000 TO \$50,000 AND THE RATES
SET OUT IN THE ORDINANCE BE REDUCED
ACCORDINGLY

(BERNARD HAS SAID THIS WOULD RESULT IN
A 21.1% RATE INCREASE)

Therefore, since the COMMON COUNCIL KNOWS
WHAT THE EFFECT OF THE AMENDMENT IS,
AN AMENDED ORDINANCE CAN BE DRAFTED
AFTER THE ORDINANCE IS PASSED FOR THE
MAYOR ~~TO~~ TO SIGN.

SAC

McLINTOCK III
Ordinance #11

NOTICE OF A PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-89-09-25)

Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana will conduct a public hearing on Bill No. G-89-09-25 -- AN ORDINANCE of the City of Fort Wayne, Indiana, establishing rates and charges for the use of and services rendered by the waterworks system of the City of Fort Wayne, on Tuesday, October 3, 1989, at 7:00 P.M., City-County Building, One Main Street, 1st Floor, Common Council Conference Room 128, Fort Wayne, Indiana.

Sandra E. Kennedy
City Clerk



The City of Fort Wayne

September 26, 1989

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

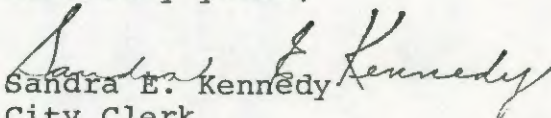
Please give the attached full coverage on the date of September 29, 1989, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN
Bill No. G-89-09-25
Rates and Charges for waterworks system

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,


Sandra E. Kennedy
City Clerk

SEK/ne
ENCL: 1

Fort Wayne common Council
(Governmental Unit)

To:

The News-Sentinel

Dr.

AllenCounty, IndianaP.O. Box 100Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

3

Body -- number of lines

9

Tail -- number of lines

3

Total number of lines in notice

15

COMPUTATION OF CHARGES

15 lines, 1 columns wide equals 15 equivalent lines
at .33 cents per line

\$ 4.95

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

1.00

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 5.95

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 1Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Nicole AllredDate: September 29, 19 89Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The News-Sentinel newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time (s), the dates of publication being as follows:

9/29/89Nicole AllredSubscribed and sworn to before me this 29th day of September, 19 89Shelley R. LarueNotary Public Whitley County, I
SHELLEY R. LARUEMy commission expires: March 3, 1990NOTICE OF A PUBLIC HEARING
FORT WAYNE COMMON COUNCIL

(BILL NO. G-89-09-25)

Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana, will conduct a public hearing on Bill No. G-89-09-25 -- AN ORDINANCE of the City of Fort Wayne, Indiana, establishing rates and charges for the use of and services rendered by the interworks system of the City of Fort Wayne, on Tuesday, October 3, 1989, at 7:00 P.M., City-County Building, One Main Street, 1st Floor, Common Council Conference Room 128, Fort Wayne, Indiana.

Sandra E. Kennedy
City Clerk

Fort Wayne common Council
(Governmental Unit)

To:

The Journal-Gazette

Dr.

Allen County, Indiana

P.O. Box 100
Fort Wayne, IN

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

3

Body -- number of lines

9

Tail -- number of lines

3

Total number of lines in notice

15

COMPUTATION OF CHARGES

15 lines, 1 columns wide equals 15 equivalent lines
at .33 cents per line

\$ 4.95

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

1.00

TOTAL AMOUNT OF CLAIM

\$ 5.95

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: September 29, 19 89

Title: Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Nicole Allred who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for one time(s), the dates of publication being as follows:

9/29/89

Subscribed and sworn to before me this 29th day of September, 19 89

Notary Public Whitley County, IN

My commission expires: March 3, 1990

SHELLEY R. LARUE

NOTICE OF A PUBLIC HEARING
FORT WAYNE COMMON COUNCIL
(BILL NO. G-89-09-25)

Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana, will conduct a public hearing on Bill No. G-89-09-25 - AN ORDINANCE of the City of Fort Wayne, Indiana, establishing rates and charges for the use of and services rendered by the waterworks system of the City of Fort Wayne, on Tuesday, October 3, 1989, at 7:00 P.M., City-County Building, One Main Street, 1st Floor, Common Council Conference Room 128, Fort Wayne, Indiana.

Sandra E. Kennedy
City Clerk